

MINUTES
WYOMING STATE BOARD OF PHARMACY MEETING
February 8-9, 2006
Casper, WY

SUBJECT	DISCUSSION	ACTION TAKEN
Meeting called to order by Board President, February 8 th , 1pm		
October 4-5, 2005 board meeting minutes	Minutes reviewed. No changes noted	Minutes approved, 3/0
WPAP Quarterly Report	George Vandell, Executive Director, WPAP presented quarterly report for October, November and December 2005.	No action required
Status of Rule-Making Order 05-1	Governor approved the rules and they were filed with the Secretary of State on December 13, 2005. A letter was mailed to all resident and non-resident pharmacies in January listing the changes by location, page number and a brief description of the change.	The summary is to be placed on the web page and for those pharmacies not able to download from the website the updated chapters, the Board will provide a CD with all pharmacy laws. The cost has not been established, but should be less than \$10 including postage.
Follow-up discussions from October Board meeting	Survey results from pharmacists and technicians were reviewed/discussed. Surveys were sent with pharmacist and technician license renewal applications in November 2005. Approximately 50% of pharmacists and 44% of technicians responded. Approximately 60% of all respondents were in support of standardized technician education.	Board requested a summary of survey findings be published in the next newsletter and placed on the Board's website.
Proposed rule changes to be considered in 2006	The following were discussed for rule change revision in the WY Pharmacy Act, Rules and Regulations: <ul style="list-style-type: none"> • Chapter 13, Section 10, Sterile Compounding. The 797 workgroup presented draft recommendations for rule change. • Chapter 2, Section 11, Labeling Prescription Drug Containers. Expand labeling requirements to include physical description and product id on unit dose and unit of issue products, which are repackaged by a pharmacy. • Chapter 2, Section 4, Definitions. To include a description of a valid doctor-patient relationship. The results of the meeting with the Board of Medicine on February 3rd were discussed. The Board of Medicine is interested in working with our Board on "doctor-patient relationship". In addition, they 	The Board to consider all items under discussion. The draft language for changes to Chapter 13, Section 10, Sterile Compounding will be placed on the board's web site. All other topics will be drafted by the Staff and presented at the April Board meeting.

are interested in reviewing the rules concerning sterile compounding.

- Chapter 3, Section 3- change in how practical experience hours are credited for pharmacy interns.
- Chapter 8. Revision of this chapter concerning manufacturers and distributors of prescription drugs. A discussion of HDMA's position on seeking national licensure rather than state specific licensure was discussed.
- Chapter 2, Section 8. Rewrite the requirements when closing a pharmacy in Wyoming.
- New regulation in Chapter 2, which addresses samples.
- New language in Chapter 2, which addresses Central Fill Pharmacies.
- Chapter 2, Section 10 (a). Clarify the requirements that would be expected of a pharmacist who refuses to transfer a prescription.

The following were discussed for change in the WY Controlled Substance Act, Rules and Regulations:

- A requirement that all pharmacies maintain a perpetual inventory for schedule II products.
- A requirement that all pharmacies report method of payment when submitting data for the prescription drug monitoring program.

Proposed Changes in the WY Pharmacy Act

The Board discussed the following :

- 33-24-152, Non-Resident Pharmacies. Seek changes, which would clarify when NR pharmacies must comply with WY laws and rules.
- 33-24-116, Modify to allow provisions for foreign pharmacy graduates.
- 33-24-134, Modify to allow provisions for foreign pharmacy graduates.
- 33-24-102, the staff to review other states composition of board members. Board may consider expanding voting members to include current ex-officio members and consider an addition to the board of a public

The Board to consider all items. Draft language or findings from other Boards to be presented at the April meeting.

- member.
- Staff to review provisions in other states for “emergency suspensions”.

Investigations/Inspections-2005	Richard Burton, Bd inspector/investigator presented a summary of inspections and investigations conducted during 2005. Summary included most common problems identified during inspections. Summary of investigations did not include names or places as many are still active cases	Board requested a summary be included in the next newsletter.
Prescription Drug Monitoring Program	Denise Embury, Records Analyst presented a summary of PDMP activities during 2005. The threshold for unsolicited profiles was discussed.	Threshold for unsolicited patient profiles was changed from 4 practitioners and 4 pharmacies in a given month to 5 practitioners and 3 pharmacies in a given month.
Medication Donation Program	Draft rules being considered by the Department of Health were reviewed/discussed.	The Board to draft a letter to the Director, Department of Health regarding concerns.
2006 Wyoming Legislature	Bills identified that may be of interest to the Board were reviewed. To date they included the following: HB0038, HB0049 and SF0050	No board action required.
DEA meeting-Spring 2006	A meeting is tentatively scheduled in Portland in April concerning deceased hospice patient’s controlled substance medication. The meeting is being coordinated by Portland DEA and Oregon Board of Pharmacy. Information has been shared with Natrona County Coroners office.	Depending on cost involved, date and location of the meeting, the Executive Director and Inspector may attend.
Suspension of certain Statues/Regulations in response to a current disaster emergency	Discussed draft language from Colorado as supplied by the Department of Health.	Board supports adopting appropriate language for Wyoming in the event of a disaster. The Executive Director to contact Aimee Lewis with the Dept of Health.
Attorney General Costs	Discussed email from AG’s office regarding cost for a new position in the AG’s office.	Executive Director to follow-up with the AG’s office regarding this position.
Medicare, Part D, E-Prescribing	Discussed letter from NABP. Federal law will pre-empt state law regarding E-prescribing for Medicare Part D. If there is a conflict with state law, then we would have two sets of rules: one governing Medicare part D (Federal) and all other prescribing (State law).	Executive Director to confirm if problems exists between state and federal law. If so, a change in state regulations will be pursued with the rule-making package being considered for 2006.
Rules continued from October 5, 2005 Board meeting	Comments were considered from individuals on February 8 th and February 9 th . Written comments (3) were also	Board voted 3/0 to adopt rules as discussed at this meeting. Board order to be issued and documents to be delivered

considered. The Board reviewed/discussed language and made modifications, which were considered less stringent than as proposed.

to Ken Nelson next week for forwarding to Governor's office, LSO and Secretary of State's office.

Executive Session

Board voted 3/0 to enter executive session to discuss proposed settlement agreements.

Return to Public Meeting

Bonnie L. Schaneman, RPh
Wyoming pharmacist license # 2243

Board voted 3/0 to approve the settlement agreement.

Kimberly C. Nimmo, RPh
Wyoming pharmacist license #2708

Board voted 3/0 to approve the settlement agreement.

Stephen K. Briggs, RPh
Wyoming pharmacist license #1799

Board voted 2/0 to approve the settlement agreement. Randy Harrop recused himself.

Changes proposed for office staff

Executive Director discussed proposed changes at the office including:

The Board approved all changes and will be kept current.

- Richard Burton to be based from his home in Dayton, beginning 6/1/06
- A second state car to be acquired. Acquisition cost of approximately \$13,000 with a monthly lease of \$334.
- Jim Carder to be based from his home up to two days per week (Tuesday and Friday). This to begin in March.
- The server in the office to be replaced at a cost of approximately \$6600.
- A second computer to be acquired for the PDMP to enhance program operation at a cost of approximately \$1,500. This cost to come from the federal grant, which will expire June 30th.

The Board has dollars associated with salary savings with H. York being called to active duty this past year.

Next board meeting

Dates discussed

April 19-20, 2006, Board's Office,
Casper, WY. April 19th 10am-5 pm,
April 20th 8am to conclusion.

Meeting adjourned by Board President,
Feb 9th at approximately 12:30 pm

Respectively Submitted:

James T. Carder, R.Ph. Executive Director

Approved: _____

Alison K. McManus, R.Ph.
President

Mary K. Walker, R.Ph.
Vice President

Randolph A. Harrop, R.Ph.
Secretary-Treasurer

Gary W. Norwood, DVM
Ex-Officio Member

Robert "Rick" J. Davis, MD
Ex-Officio Member

John R. McPherson, DDS
Ex-Officio Member